

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
No. 1:09-CR-17**

UNITED STATES OF AMERICA)
)
v.)
)
ALBERT CHARLES BURGESS, JR.)
)

THIS MATTER is before the Court upon Defendant's Renewal of Motion to Dismiss for Prosecutorial Misconduct (Doc. 157). For the following reasons, Defendant's Motion is **DENIED**.

Defendant provides no legal basis for his Motion. He asserts that Wilhelm did not meet with Defendant on the day the search warrant was executed, but that “Wilhelm provided a copy of the search warrant to the Defendant.” (Doc. 157, 1.) This information does not raise any new legal issues; nor does it state a basis upon which this case would be dismissed for prosecutorial misconduct.

IT IS THEREFORE ORDERED that Defendant's Renewal of Motion to Dismiss for Prosecutorial Misconduct (Doc. 157) is **DENIED**.

Signed: July 22, 2010

Graham C. Brucker

Graham C. Mullen
United States District Judge

